

Exhibit 17

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
GREENEVILLE DIVISION

B.P., H.A., and S.H.,)
individually, and on behalf of)
all other similarly)
situated,)

Plaintiffs,)

v.)

No. 2:23-CV-00071
TRM-JEM

City of Johnson City,)
Tennessee, et al,)

Defendants.)

* * * * *

DEPOSITION OF BRADY HIGGINS

May 22, 2024

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18 Videographer: Kelly Rusk
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1 something -- pretty much the way one continuously
2 does something, so --

3 Q. The way that someone continuously
4 does something?

5 A. Yes, the acts of --

6 Q. Is it used in criminal law?

7 A. Yes.

8 MR. GRANT: Object to form.

9 Q. (BY MS. BAEHR-JONES) How is it
10 used?

11 A. To show a standard of -- or a way,
12 a pattern of things people do.

13 Q. Is it powerful evidence to show
14 that a criminal suspect has committed the same crime
15 again and again and again in the same way?

16 MR. GRANT: Object to form.

17 A. I was not aware of anything that he
18 had done in the past before this.

19 Q. (BY MS. BAEHR-JONES) So you worked
20 this case with Officer Toma Sparks for nine months,
21 and never during that time did he tell you that
22 there were other reports that were similar to this
23 one?

24 MS. BEXERA: I object to the form
25 of the question.

1 A. I did not inquire about it, and we
2 did not speak to about it, to my knowledge.

3 Q. (BY MS. BAEHR-JONES) He never told
4 you about B.P. [REDACTED] case?

5 A. No.

6 Q. He never told you about FEMALE 12
7 FEMALE 12 [REDACTED] case?

8 A. No.

9 MR. GRANT: Are you wanting to use
10 initials?

11 MS. BAEHR-JONES: We will go back
12 and redact.

13 A. No.

14 Q. (BY MS. BAEHR-JONES) He never told
15 you about FEMALE 2 [REDACTED] case?

16 A. No.

17 Q. He never told you about FEMALE 9
18 FEMALE 9 [REDACTED] case?

19 A. No.

20 Q. Have you ever authored a search
21 warrant to search a residence for someone's digital
22 devices?

23 A. Yes.

24 Q. And by digital devices, what do
25 you -- what do you mean by that term? What do I --

1 working to see how they -- we don't know where we're
2 going to. We don't -- sometimes the witnesses are
3 not the most cooperative. So it's just a common
4 practice to take somebody as a witness or to -- they
5 may think of stuff that you don't while you're
6 talking to them.

7 Q. What about when someone comes in to
8 interview at JCPD? Is it common practice to have at
9 least two people there to do the interview?

10 A. Sometimes it's one; sometimes it's
11 two.

12 Q. When you were interviewing FEMALE 8,
13 there was a video camera recording, correct?

14 A. Yes.

15 Q. Was anyone watching from outside
16 the room?

17 A. Yes, I assume so. My supervision
18 was.

19 Q. Who was watching?

20 A. I believe Captain Peters. I
21 can't -- I don't recall who the other sergeant was.
22 The lieutenant was off that day, since
23 Captain Peters was working. I do not recall who the
24 sergeant was that had been on duty.

25 Q. When you stepped out to take breaks

1 during the interview, did you talk to the people who
2 were watching the video?

3 A. Most likely. Let them know, inform
4 them what's going on, what's being said.

5 Q. Did they give you advice on what to
6 ask?

7 A. Sometimes, yes.

8 Q. Did Captain Peters give you advice
9 on what to ask?

10 A. Most likely, yes.

11 Q. Did that typically happen that
12 Captain Peters was watching on video when you
13 interviewed somebody at JCPD headquarters?

14 A. He -- for the most part he was
15 invested in the cases that came in. He would watch.
16 Because sitting in a squad room just down the
17 hallway, you could hear people's monitors. A lot of
18 times -- it wouldn't be just this case. It would be
19 other cases, and you would hear monitors from the
20 supervision or from other investigators where
21 they're watching and listening to assist each other.

22 Q. To your memory, did you ever have
23 an interview of a sexual assault victim who you went
24 out to get advice from Captain Peters on how to ask
25 questions?